UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC

Petitioner

v.

DDC TECHNOLOGY, LLC,

Patent Owner

U.S. Patent No. 11,093,001

Case No.: IPR2023-00711

PETITIONER'S MOTION TO SEAL

Pursuant to 37 C.F.R. §§ 42.14, Petitioner Google hereby moves to seal Petitioner's Reply to Patent Owners Preliminary Response (Reply Brief) and Exhibit 1019 filed with the Reply Brief. These documents contain confidential information pertaining to a confidential mediation.

I. Good Cause Exists for Sealing the Exhibit and the Reply Brief

In deciding whether to seal documents, the Board must find "good cause," and must "strike a balance between the public's interest in maintaining a complete and understandable file history and the parties' interest in protecting truly sensitive information." *Garmin v. Cuozzo*, IPR2012-00001, Paper 36 (April 5, 2013).

Here, the balance tips in favor of protecting this confidential information. Exhibit 1019 is an agreement for a confidential mediation and the Reply Brief references that agreement. This exhibit and the Reply Brief's description have nothing to do with patentability. For this reason, the public's interest in having access to the Reply Brief and Exhibit 1019 is greatly lessened. *Garmin v. Cuozzo*, IPR2012-00001, Paper 36 at 8-9 (April 5, 2013). Petitioner requests that the following documents should remain under seal:

Document
Petitioner's Reply to Patent Owner's Preliminary Response
EX1019 – Agreement to Mediate

In addition to referencing the confidential mediation agreement, Petitioner's Reply Brief also references confidential agreements between Google and Orora Packaging Solutions, which are already subject to a motion to seal (see Paper 12). EX1019 is the confidential mediation agreement. This information is confidential business information and should remain under seal.

II. Non-Confidential Version of the Reply Brief

Petitioner is concurrently filing a non-confidential version of the Reply Brief.

III. Protective Order

The parties have agreed to a protective order, which is an exhibit to Patent Owner's Motion to Seal, Paper 12. This motion to seal is pending.

IV. Certification of Non-Publication

The information sought to be sealed has not been published or otherwise made public.

Respectfully Submitted,

Dated: September 1, 2023

Michael L. Kiklis_____

Michael L. Kiklis
Reg. No. 38,939
Attorney for Petitioner
Google LLC

CERTIFICATE OF SERVICE

The undersigned certifies service pursuant to 37 C.F.R. §§ 42.6(e) of PETITIONER'S MOTION TO SEAL by filing this document through the USPTO Patent Trial and Appeal Case Tracking System and by emailing a copy to the following email addresses:

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Respectfully Submitted,

Dated: September 1, 2023

Michael L. Kiklis_____

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